

# PLANNING COMMISSION AGENDA REPORT

**MEETING DATE: JANUARY 26, 2004** 

ITEM NUMBER:

SUBJECT:

**PLANNING APPLICATION PA-03-20** 

**2653 ORANGE AVENUE** 

DATE:

**JANUARY 15, 2003** 

FOR FURTHER INFORMATION CONTACT:

**MEL LEE, ASSOCIATE PLANNER** 

(714). 754-5611

#### DESCRIPTION

The applicant is requesting approval of a design review and a master plan to replace 6 nonconforming residential units with new 2-story, 6-unit detached residential apartment units.

#### **APPLICANT**

The applicant is Southern Sun Construction Company, representing the owner of the property, Orange North Apartments, LLC.

#### **RECOMMENDATION**

Deny by adoption of Planning Commission resolution.

MFÍ LFF

Associate Planner

PERRY L. WALANTINE

Asst. Development Services Director

#### **PLANNING APPLICATION SUMMARY**

G PROPERTY:	2-story, 6-unit detached residential perties are zoned contain  Proposed/Provided  66 FT* 19,800 SF  1 du/3,300 SF** 1 du/3,300 SF**
Surrounding prop Residential and c Residential uses  Allowed  FT O SF	Proposed/Provided  66 FT*  19,800 SF
Residential and c Residential uses  Allowed  FT  O SF	Proposed/Provided  66 FT*  19,800 SF
Residential and c Residential uses  Allowed  FT  O SF	Proposed/Provided  66 FT*  19,800 SF
Allowed FT O SF	Proposed/Provided  66 FT*  19,800 SF
FT O SF 30 SF	66 FT* 19,800 SF 1 du/3,300 SF**
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FT O SF 30 SF	66 FT* 19,800 SF 1 du/3,300 SF**
30 SF	19,800 SF 1 du/3,300 SF**
30 SF	19,800 SF 1 du/3,300 SF**
30 SF	1 du/3,300 SF**
30 SF	
30 SE	1 du/3,300 SF**
<del>55 01</del>	
	5,883 SF (35%)
	6,067 SF (33%)
(40%)	7,860 SF (39.6%)**
	19,800 SF (100%)
27 FT	2 Stories 24 FT
<u> </u>	NA NA
· —-	979 SF (Plans 1 and 2) 988 SF (Plan 3)
	834 SF (Plan 1) 920 SF (Plan 2) 1,059 SF (Plan 3)
<del>/</del> 6	85%-94% (Plan 1 and 2)*** 107% (Plan 3)***
3FT on one side . to house	2 15 FT combined w/3 FT on one side and 12 FT adj. to house
(25%)	98 SF (7%)
	20 FT
• 1	
T FT Ava (2 Story)	16 FT (1 Story)
FT Avg (2 Story)	20 FT (2 Story)
FT Avg (2 Story) Story)	
FT Avg (2 Story) Story)	12
FT Avg (2 Story) Story) Story)	6
FT Avg (2 Story) Story) Story)	10.0
FT Avg (2 Story) Story) Story)	18 Spaces
F	FT Avg (2 Story) 1 Story) 2 Story) 6

Final Action

Planning Commission

#### **BACKGROUND**

The project site contains a one-story, six-unit residential project consisting of three pairs of 696 square foot apartments connected by a 480 square foot 2-car garage. The units were constructed in 1959 and are nonconforming with regard to density (only 5 units would be allowed under current code). The existing residences are proposed to be demolished to accommodate the proposed 6-unit detached apartment project.

#### **ANALYSIS**

The proposed residences are all two-story, two bedroom units, and consist of three basic floor plans: Plan 1 (the unit closest to Orange Avenue) is 1,813 square feet in area (including the garage); Plan 2 (the 4 units between the front and rear units) is 1,899 square feet in area (including the garage); and Plan 3 (the unit at the rear of the property) is 2,047 square feet in area (including the garage). The exterior design is a contemporary theme with composition shingle roofs, decorative window and door trims, and exterior stucco finishes. The elevations for the unit closest to Orange Avenue will incorporate additional architectural detailing. Each home has a two-car garage, plus an additional open parking space between the units.

Code Section 13-205 allows for the rebuilding of nonconforming residential units after voluntary destruction if the new development complies with the City's zoning code and other applicable codes, including, but not limited to, setbacks, lot coverage, building height, parking, open space, and landscaping. If the project does not fully meet the standards, approval may be granted through a Master Plan if it can be demonstrated that strict compliance is either unfeasible or unnecessary. In exchange for any deviation from the current standards, the project must provide additional amenities such as garages instead of carports, enhanced landscaping, decorative paving, etc.

The only residential development standard the project does not comply with is the open space requirement (40%, or 7,920 square feet required; 39.6%, or 7,860 square feet provided, a 60 square foot deficiency). Although not code requirements, the project does not comply with the second to first floor percentage (80% required, 85% to 107% proposed) or the average second story setback (10 feet required, 5 to 8 feet provided) of the City's Residential Design Guidelines. In addition, second story construction is required to provide additional design features to provide visual relief to the side yard, such as horizontal and/or vertical plane breaks, roof plane breaks, and appropriate architectural details and articulation.

With regard to the open space deficiency (which, as indicated above is a code requirement), it is staff's opinion that the proposed development would satisfy the criteria for approval under a Master Plan for the following reasons:

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- The proposed development provides a substantial improvement to the property by providing contemporary architecture, larger living units, additional on-site parking (18 spaces proposed, 6 existing), and greater private yard areas;
- To offset the proposed deviations, the applicant has proposed several amenities as recommended in Code Section 13-205(b) including, but not limited to, the following:
  - 1. Private, attached garages for greater security;
  - 2. Stamped concrete or other decorative paving along the driveway;
  - Covered and/or screened trash enclosure, which is also required to be located outside the front setback;
  - 4. 30% of the trees will be 24-inch box size or larger.

With regard to the design guideline deficiencies, while there are existing two-story residences within the same residential area as the proposed development, it is staff's opinion that the side elevations for the proposed residences that face off-site do not provide adequate visual relief in the way of horizontal and/or vertical plane breaks, roof plane breaks, and architectural detailing as recommended in the Design Guidelines, in particular the elevations facing the southerly (side) and westerly (rear) property lines. These deficiencies are directly related to the greater than 80% second floor ratio and the less than average 10-foot setback on the second floor of the units.

Based on the above, it is staff opinion that while there may be justification for approval of the Master Plan, even with the small deficiency in open space, there is no justification for approval of the Design Review based on the deficiencies in the design guidelines.

#### **ALTERNATIVES**

If the project is not approved, the applicant could not construct the development as proposed. The applicant could not submit substantially the same type of design for six months. However, the applicant could submit a plan for a lesser number of units, which would not require a Master Plan, but would require a Design Review if the units are 2-story.

#### CONCLUSION

It is staff's opinion that while there may be justification for approval of the Master Plan based on the deficiency in open space, there is no justification for approval based on the deficiencies in the design guidelines. Therefore, staff is recommending denial of the project.

#### Attachments:

- 1. Draft Planning Commission Resolution
- 2. Exhibit "A" Draft Findings
- 3. Exhibit "B" Draft Conditions of Approval
- 4. Applicant's Project Description and Justification

#### 7. Plans/Photos

cc: Deputy City Mgr.-Dev. Svcs. Director Assistant City Attorney City Engineer Fire Protection Analyst Staff (4) File (2)

> Southern Sun Construction Brett Isaacman 17775 Main Street, Suite B Irvine, Ca 92604

Orange North Apartments, LLC Vern Eberhard P.O. Box 272 Downey, CA 90241

#### **RESOLUTION NO. PC-04-**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-03-20

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Southern Sun Construction Company, representing the owner of the property, Orange North Apartments, LLC, with respect to the real property located at 2653 Orange Avenue, requesting approval of a design review and master plan to replace 6 nonconforming residential units with new 2-story, 6-unit detached residential apartment units; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 26, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** PA-03-20 with respect to the property described above.

PASSED AND ADOPTED this 26th day of January, 2004.

Chair, Costa Mesa Planning Commission

STATE OF CALIFORNIA	)
	)ss
COUNTY OF ORANGE	)

I, Perry L. Valentine, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on January 26, 2004, by the following votes:

AYES:

**COMMISSIONERS** 

NOES:

**COMMISSIONERS** 

ABSENT:

COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa Planning Commission

#### **EXHIBIT "A"**

#### **FINDINGS**

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
  - The proposed development is not compatible or harmonious with uses within the general neighborhood, specifically with regard to the City's Residential Design Guidelines for second story residential construction.
  - Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(14) in that the project does not meet the purpose and intent of the Residential Design Guidelines. Specifically, the project does not comply with the second to first floor percentage (80% required, 85% to 107% proposed) or the average second story setback (10 feet required, 5 to 8 feet provided) of the City's Residential Design Guidelines. While there are existing two-story residences within the same residential area as the proposed development the side elevations for the proposed residences that face off-site do not provide adequate visual relief in the way of horizontal and/or vertical plane breaks, roof plane breaks, and architectural detailing as recommended in the Residential Design Guidelines, in particular the elevations facing the southerly (side) and westerly (rear) property lines. These deficiencies are directly related to the greater than 80% second floor ratio and the less than average 10-foot setback on the second floor of the units.
- C. The information presented complies with Costa Mesa Municipal Code Section 13-205(e) with regard to the Master Plan in that full compliance with the development standards with regard to open space would make rebuilding infeasible. With the exception of the issues relating to compliance with the Residential Design Guidelines as stated above, the proposed rebuilding is substantially compatible with surrounding developments and would not be materially detrimental to other properties in the area. The proposed rebuilding is less nonconforming than the existing development and the proposed rebuilding provides additional amenities that ensure a high quality development.
- D. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.

- E. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- F. The rear buildings of this development are at an excessive distance from the street, but the plan does not land itself to fire apparatus access or placement of an on-site fire hydrant. Problems associated with the depth of buildings on the property can be somewhat reduced by installation of a residential sprinkler system for the 4 rear units.

#### **EXHIBIT "B"**

#### CONDITIONS OF APPROVAL(If Project Is Approved)

- Plng. 1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc, shall be blueprinted on the site plan and on all floor plans in the working drawings.
  - Prior to issuance of building permits, applicant shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
  - 3. Street addresses shall be displayed on the front of the houses adjacent to the entry and in a manner visible from the street. Street address numerals shall be a minimum 6 inches in height with not less than ½-inch stroke and shall contrast sharply with the background.
  - The subject property's ultimate finished grade level may not be 4. filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site stormwater flow to Orange Avenue, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
  - 5. The applicant shall contact Comcast (cable television) at 200 Paularino, Costa Mesa, (888.255.5789) prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
  - 6. The conditions of approval, ordinance and code provisions of PA-03-20 shall be blueprinted on the face of the site plan.
  - 7. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m. and 7 p.m., on Saturday, Sunday, and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.

- 8. The applicant shall contact the Planning Division to arrange Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
- 9. Block walls shall be provided on all interior lot lines. New block walls shall be decorative block, subject to approval by the Planning Division. The wall(s) shall have a finished quality on both sides. Where walls on adjacent properties already exist, the applicant shall work with the adjacent property owner(s) to prevent side-by-side walls with gaps in between them. Block walls visible from the street shall be decorative block and set back from adjacent sidewalks to provide a landscape planter area, subject to approval by the Planning Division.
- Building elevations for the units closest to Orange Avenue shall have enhanced architectural details and window treatments under the direction of Planning staff.
- 11. Second floor windows facing the southerly (side) and westerly (rear) property lines shall be designed and placed to minimize direct lines-of-sight into windows on adjacent properties, and to minimize visibility into abutting residential side and rear yards. Every effort shall be made to maintain the privacy of abutting property owners.
- 12. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
- 13. If any archaeological objects are encountered during construction, the contractor shall stop work immediately and notify the City.
- 14. Existing mature vegetation shall be retained wherever possible. Should it be necessary to remove existing vegetation, the applicant shall submit a written request and justification to the Planning Division. A report from a California licensed arborist may be required as part of the justification. Replacement trees shall be of a size consistent with trees to be removed, and shall be replaced on a 1-to-1 basis. This condition shall be completed under the direction of the Planning Division.
- 15. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted equipment shall not be located in any landscaped setback visible from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning Staff.
- 16. As part of the Master Plan approval, the applicant shall provide additional amenities for the project, including, but not limited to, the following:
  - A. Attached, private 2-car garages;

- B. Stamped concrete or other decorative paving along the driveway;
- Covered and/or screened trash enclosure located outside the front setback;
- D. 30% of the trees shall be 24-inch box size or larger. Amenities shall be subject to review and approval by the Planning Division.
- Eng. 17. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.
- Police 18. A list of security recommendations has been provided by the Police Department for the applicant's consideration.

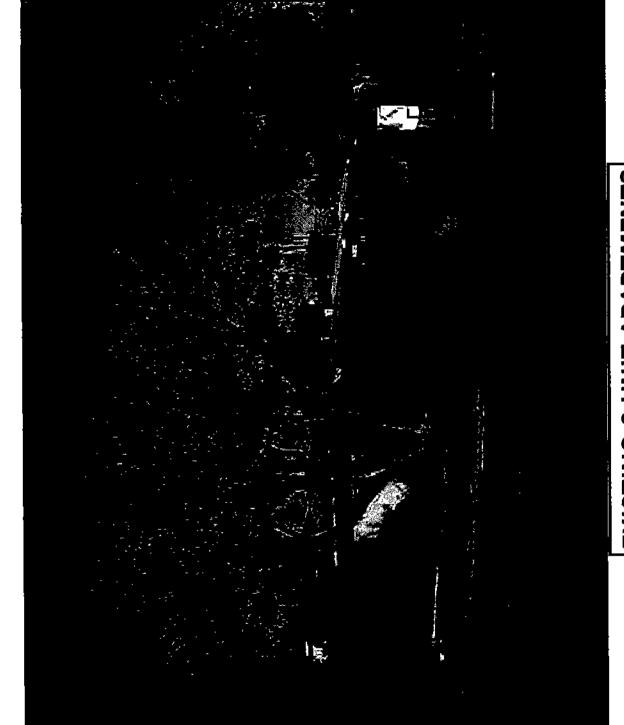
## PLAN NG DIVISION - CITY OF COL A MESA

#### **DESCRIPTION/JUSTIFICATION**

Applio Addre	ess:	# 1 - 03 - 20  WELS ORANGE AVENUE.  653	Environmental Determination: ExEmpt			
1.	Fully	describe your request:				
	,	REDEVELOPMENT OF 6	EXISTING APPRETANENT UNITS.			
2.	Just	ification				
	A.		Conditional Use Permit: Describe how the proposed use is substantially same general area and how the proposed use would not be materially ame area.			
	В.	topography, location or surroundings t	nent: Describe the property's special circumstances, including size, shape, hat deprive the property of privileges enjoyed by other properties in the ification due to strict application of the Zoning Code.			
3.		project is: (check where appro				
		In a flood zone. Subject to future street widenir	In the Redevelopment Area.  In a Specific Plan Area.			
4.	offic		ASTE AND SUBSTANCES SITES LIST published by the nd reproduced on the rear of this page and have			
	_	✓ Is not included in the publication indicated above.				
		Is included in the publication in	dicated above.			
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### General Industrial City Boundary Street Names Local Business & School General Business Powered By GeoSmart.net Parcel Lines Water Ways Institutional B Recreational Industrial Perk Parcel Addresses Hydrology Channels Commercial Umited Legend Selected Zoning ZONING/LOCATION MAP 88 器 Š ä ă To the last PA-03-20 욽 2 뮍 LAO OMINAN

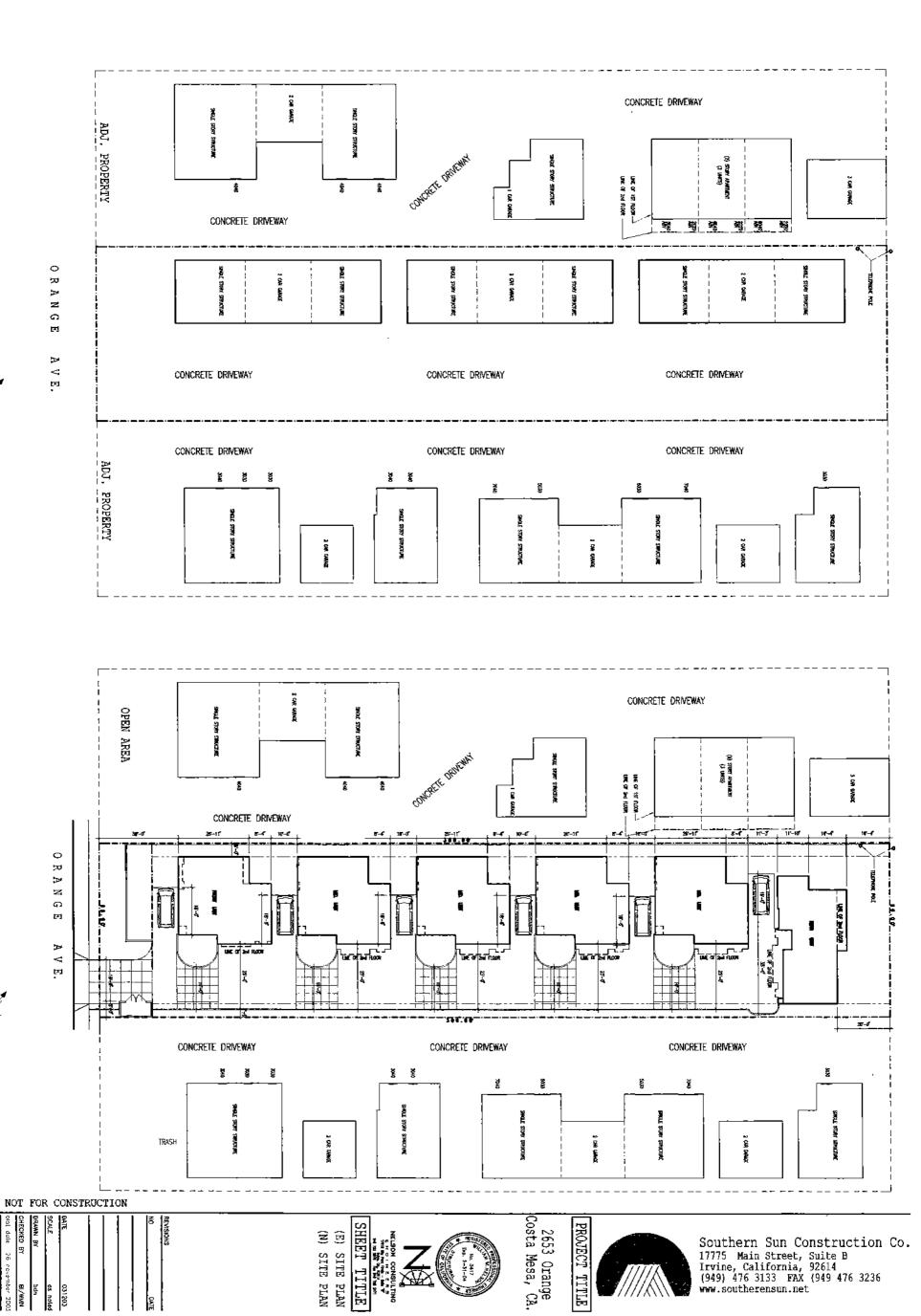


# EXISTING 6-UNIT APARTMENTS 2653 ORANGE AVENUE



SP.

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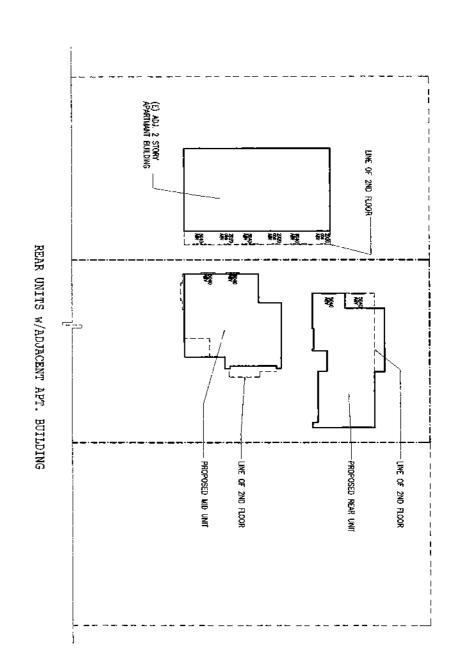
VICINITY MAP - COTAGES

10.800 = LOT SIZE
5.803 = GRIUDNE FOOTAGES

119.401 = TUTAL CORFROME
7.860 = X OF IOT COMERO AREA
7.860 = X OF IOT COMERO AREA
7.860 = TOT FRONT
410 = GRANCE

500 = IST LANNG AREA
834 = FOOT PRONT
419 = GRANCE
500 = IST LANNG AREA
8320 = IST LANNG AREA
8320 = IST LANNG AREA
8320 = SCOND FLOOR
REAR UNIT SQUARE FOOTAGE
840 = STOND FRONT
410 = GRANCE
500 = IST LANNG AREA
820 = IST LAN

979 979 979



OPEN AREA CALCULATION

CALCULATED OPEN AREA

CALCULATED ORIVEWAY AREA

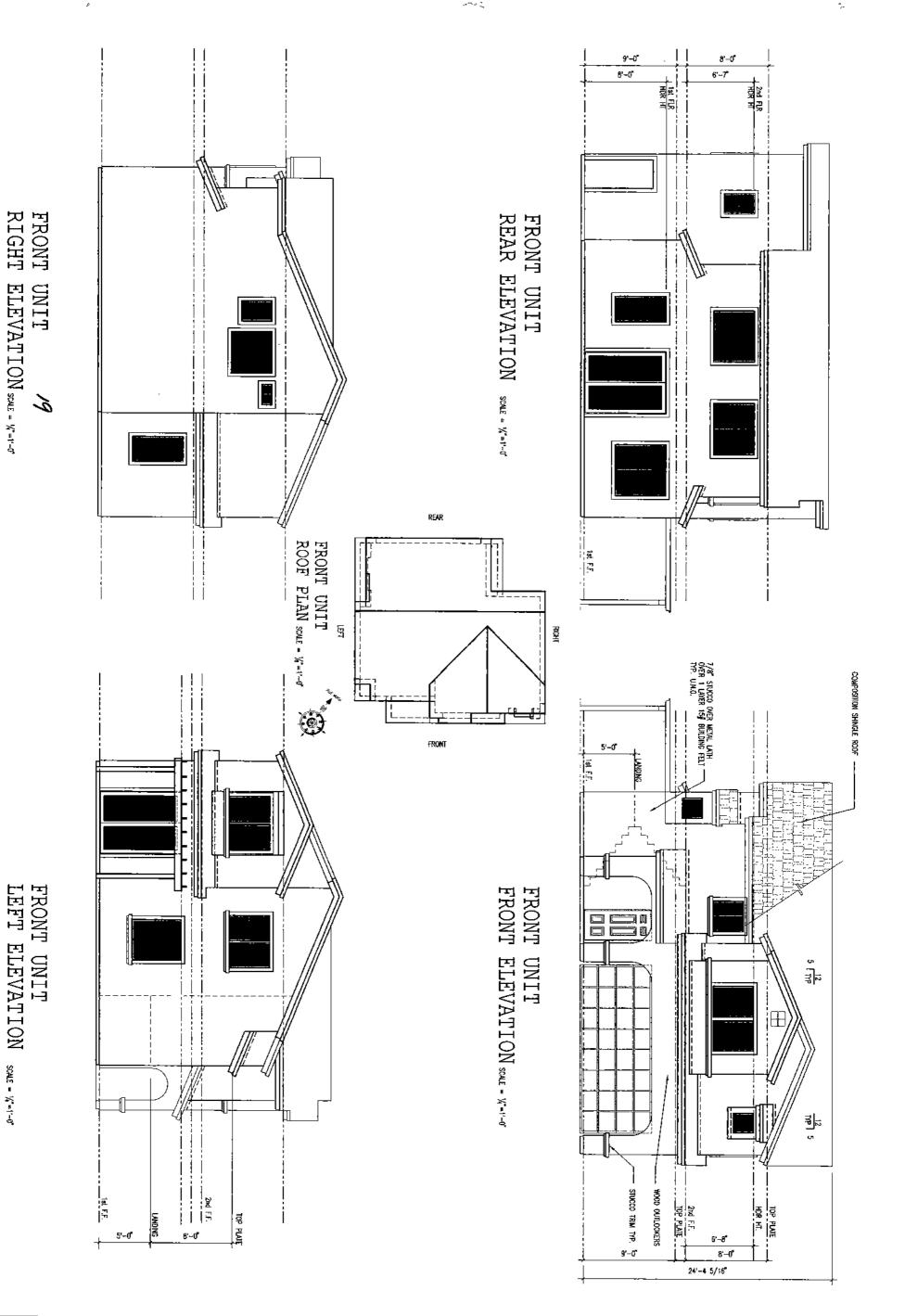
CALCULATED BUILDING FOOTPRINT AREA

VICINITY MAP AREA CALCULATIONS ADJACENT APT, WINDOWS

NELSON CONSULTING

2653 Orange Costa Mesa, CA.





SHEET NO.

SCALE = 1/4"=1"-0"

DRAWN BY bdn

CHECKED BY BI/WWN

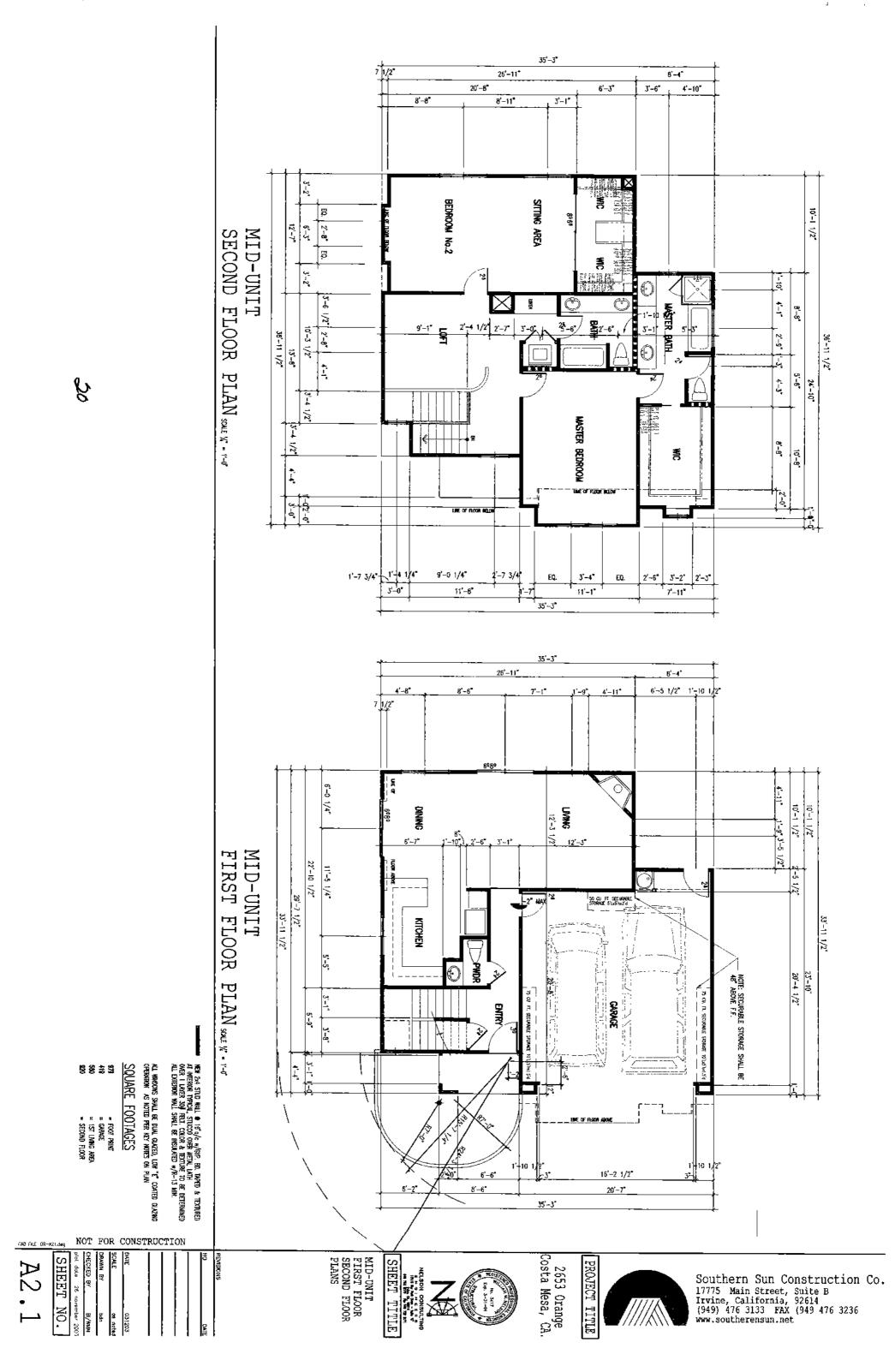
plot data 4 november 2003

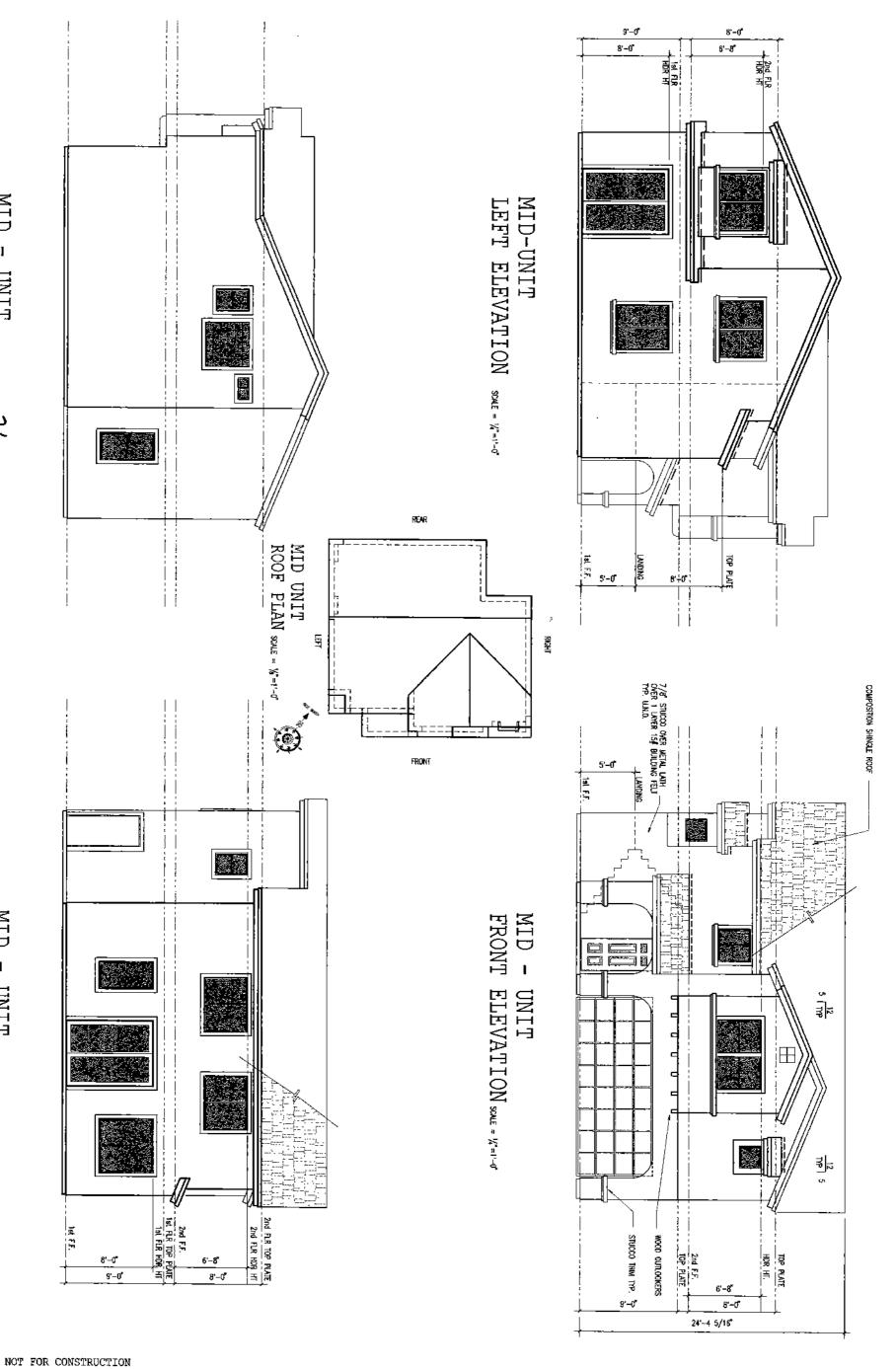
FRONT UNIT EXTERIOR ELEVATIONS



2653 Orange Costa Mesa, CA,







MID - UNIT REAR ELEVATION

SCALE = 1/1"=1"-0"

MID - UNIT 2/ RIGHT ELEVATION SCALE = 1/2-17-07

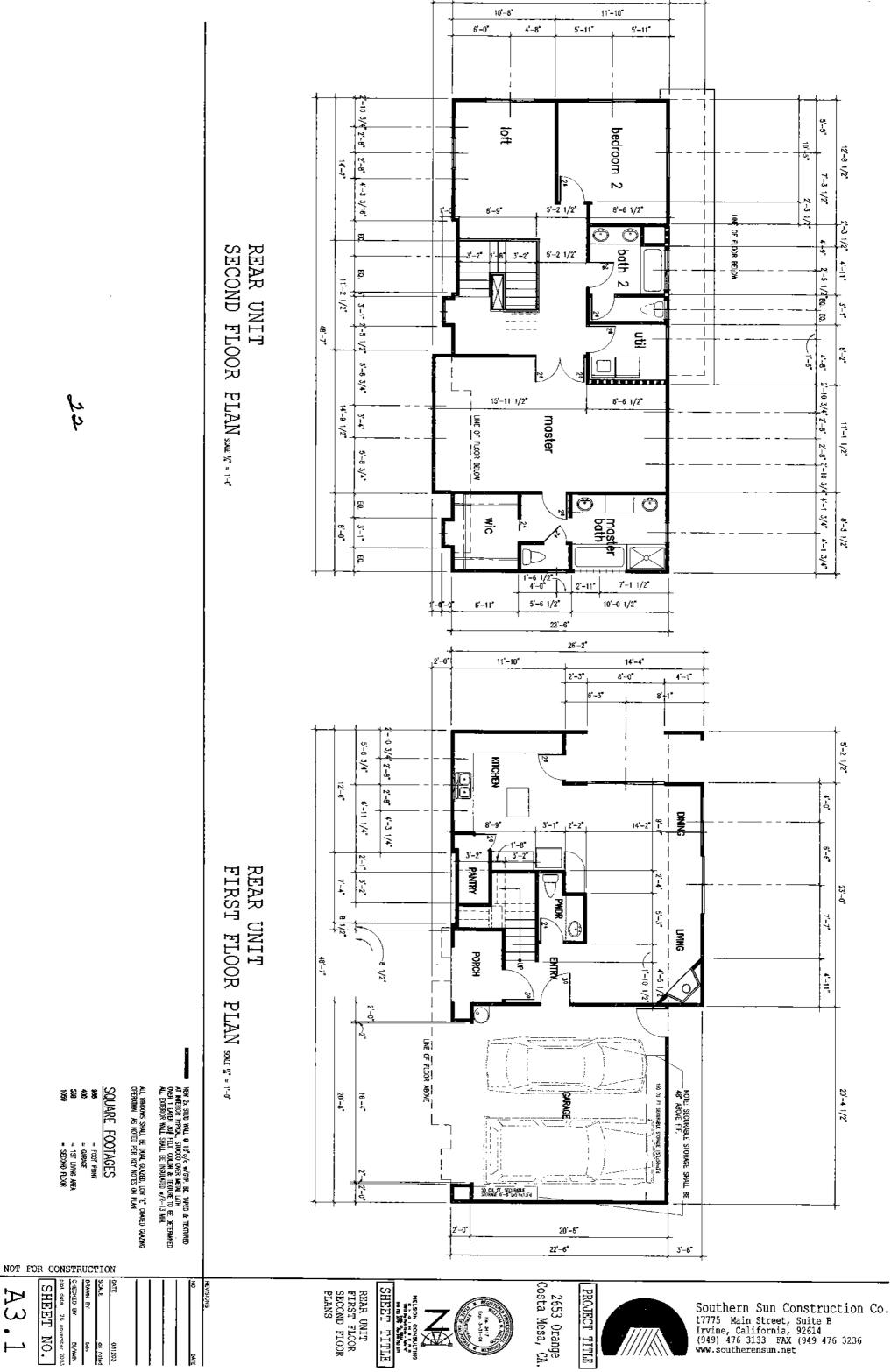
SHEET 26 november MID - UNIT EXTERIOR ELEVATIONS

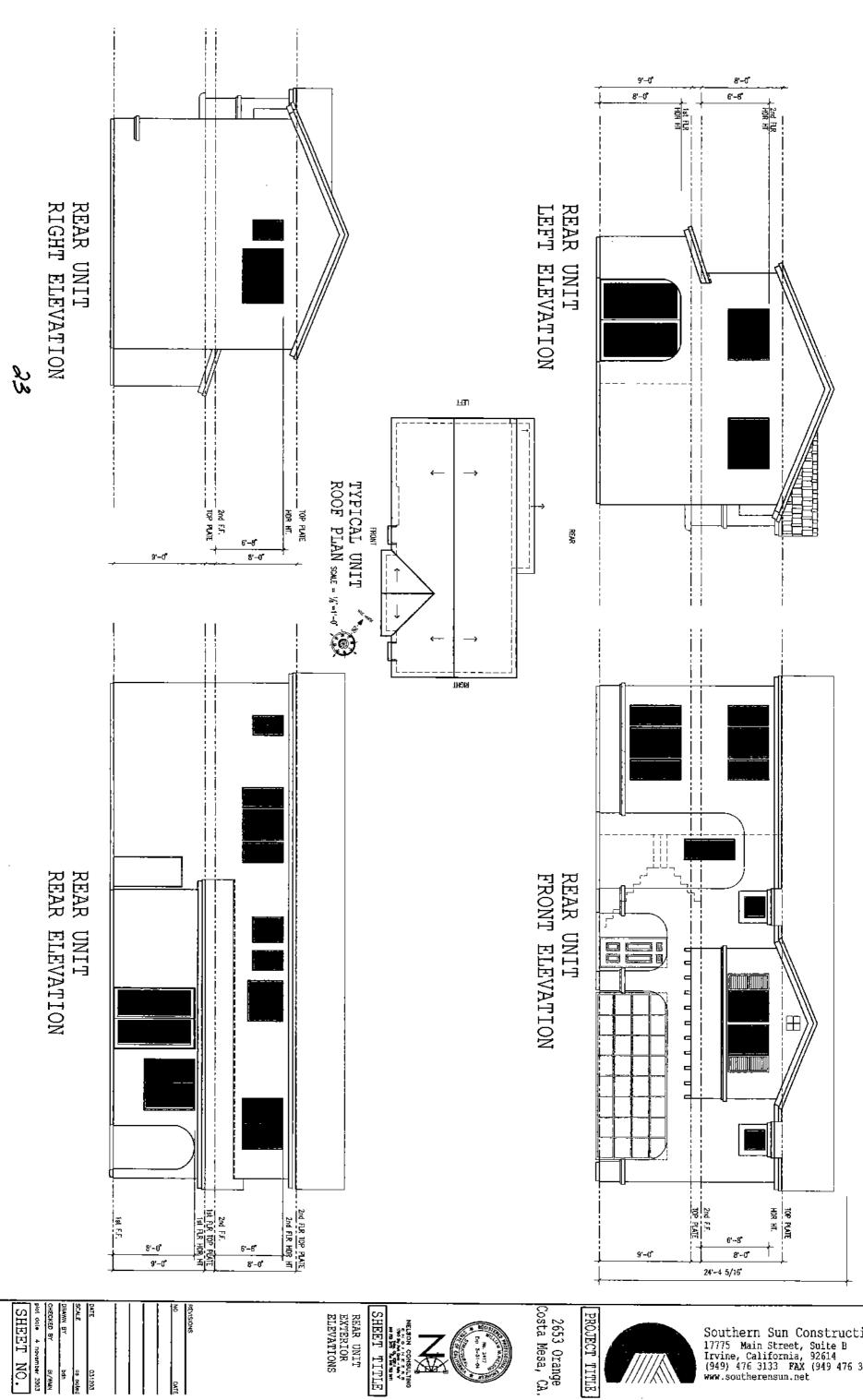




2653 Orange Costa Mesa, CA.







REAR UNIT EXTERIOR ELEVATIONS



2653 Orange Costa Mesa, CA,

